

**UNITED STATES BANKRUPTCY COURT  
District of New Jersey**

IN RE: **Reginald T Ballard  
Linda E Lovingham-Ballard**

Debtor(s)

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

Chapter: \_\_\_\_\_

**13**

**CHAPTER 13 PLAN AND MOTIONS**

☐ Original

☐ Motions Included

☒ Modified/Notice Required

☐ Modified/No Notice Required

☒ Discharge Sought

☐ No Discharge Sought

Date: \_\_\_\_\_

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE.

**YOUR RIGHTS WILL BE AFFECTED.**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The Debtor shall pay 285.00 Monthly to the Chapter 13 Trustee, starting on 10/1/2016 for approximately 60 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒

Future Earnings

☐

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property  
Description:  
Proposed date for completion: \_\_\_\_\_
- ☐ Refinance of real property  
Description:  
Proposed date for completion: \_\_\_\_\_
- ☒ Loan modification with respect to mortgage encumbering property  
Description: Modify Mortgage held by Shellpoint Mortgage Co on 101 Savannah Court EHT, N.J.  
Proposed date for completion: 3/1/2016

- d. ☒ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to \_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Thomas E. Dowey, Esq	Attorney Fees	1781.00

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Quicken Loan	1-3 Cottage St Worchester MA	2151.00	0	2151.00	1016.00
Shellpoint	101 Savannah Circle, Egg Harbor Township, N.J.	11,462.79	0	11,462.79	2600.00

**b. Modification**

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
None							

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Cliffs at Peace Canyon	Timeshare at Cliffs at Peace Canyon	0	740.00
Peppertree by the Sea	Timeshare at Peppertree by the Sea	0	840.00
Plantation Resort	Timeshare at Plantation Resort	0	748.00
Southwind Management Royal FI	Timeshare at Southwind Management	0	
Fox Hills Owners Asso	Timeshare at Fox Hills	0	1384.50
Fortune Place Owners Asso	Timeshare at Fortune Place	0	

**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:

Creditor  
Ford Credit  
Equiant Financial Services

**e. Secured Claims to be paid in full through the Plan**

Creditor	Collateral	Total Amount to be Paid through the Plan
None		

**Part 5: Unsecured Claims**

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

\_\_\_\_\_ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*

\_\_\_\_\_ Not less than \_\_\_\_\_ percent

  X   *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured** Claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

### Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

### Part 7: Motions

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

**b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

### Part 8: Other Plan Provisions

**a. Vesting of Property of the Estate**

- ☒ Upon Confirmation  
☐ Upon Discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

**d. Post-petition claims**

The Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9 : Modification**

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: \_\_\_\_\_

Explain below <b>why</b> the Plan is being modified.	Explain below <b>how</b> the Plan is being modified
	Shellpoint mortgage arrears being put in the plan and 6 timeshares being surrendered.

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☒ No

**Part 10: Sign Here**

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date April 18, 2017 /s/ Thomas E. Dowey Esq.  
Thomas E. Dowey Esq.  
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: April 18, 2017 /s/ Reginald T Ballard  
Reginald T Ballard  
Debtor

Date: April 18, 2017 /s/ Linda E Lovingham-Ballard  
Linda E Lovingham-Ballard  
Joint Debtor

**Certificate of Notice Page 6 of 8**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Reginald T Ballard  
 Linda E Lovingham-Ballard  
 Debtors

Case No. 16-30073-JNP  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
 Form ID: pdf901

Page 1 of 3  
 Total Noticed: 61

Date Rcvd: Apr 19, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 21, 2017.

db/jdb +Reginald T Ballard, Linda E Lovingham-Ballard, 101 Savannah Circle,  
 Egg Harbor Township, NJ 08234-6003

cr +Financial Health Services, LLC, c/o Saldutti Law Group, 800 N. Kings Highway, Suite 300,  
 Cherry Hill, NJ 08034, UNITED STATES 08034-1511

cr +QUICKEN LOANS INC., Stern & Eisenberg, 1581 Main Street, Suite 200, Suite 200,  
 Warrington, PA 18976-3400

516455565 +American Express, Bankruptcy Processing, P.O. Box 8053, Mason, OH 45040-8053

516455567 +Barclay Bank Delaware, P.O. Box 8803, Wilmington, DE 19899-8803

516455568 +Betty Tauber, 1-3 Cottage St., Worcester, MA 01609-2301

516455569 Capital One, P.O. Box 30285, Salt Lake City, UT 84130-0285

516455576 +Cliff's at Peace Canyon, P.O. Box 350547, Fort Lauderdale, FL 33335-0547

516455578 +Dilson Caba, 1-3 Cottage St., Worcester, MA 01609-2301

516455579 +Encore Receivable Management, Inc., 400 N. Rogers Road, P.O. Box 3330,  
 Olathe, KS 66063-3330

516455580 +Equiant Financial Services, 4343 N. Scottsdale, Scottsdale, AZ 85251-3343

516455582 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180  
 (address filed with court: Ford Credit, National Bankruptcy Service Center, P.O. Box 62180,  
 Colorado Springs, CO 80962)

516455581 +Financial Health Services, c/o Saldutti Law Group, 800 N. Kings Highway, Ste 300,  
 Cherry Hill, NJ 08034-1511

516490614 +Fox Hills Owners Association, Attorney John F. Mayers, Nash Law Firm, 1425 Memorial Drive,  
 Manitowoc, WI 54220-6707

516455583 +Fox Hills Owners Association, 250 West Church Street, Mishicot, WI 54228-9788

516455584 +Guardian Protection Services, 174 Thorn Hill Rd., Warrendale, PA 15086-7528

516455585 +Home Depot Credit Services, Dept 32 - 2131072096, P.O. Box 9001030,  
 Louisville, KY 40290-1030

516455586 +Home Depot Loan Services, P.O. Box 530584, Atlanta, GA 30353-0584

516455587 +Jane Varas, 101 Svannah Circle, Egg Harbor Township, NJ 08234-6003

516455588 +John Francis Mayer, 1425 Memorial Dr., Manitowoc, WI 54220-6707

516455589 +Joseph Allegretto, P.O. Box 353, Absecon, NJ 08201-0353

516630658 +MIDLAND FUNDING LLC, PO BOX 2011, WARREN, MI 48090-2011

516455591 +Management Services Inc., P.O. Box 1099, Langhorne, PA 19047-6099

516455595 +Mitra Youseff, 1-3 Cottage St., Worcester, MA 01609-2301

516455596 +Monterey Collections, 4095 Avenida De La Plata, Oceanside, CA 92056-5802

516509533 +NJ Class, PO Box 548, Trenton, NJ 08625-0548

516455598 +NJ HEAA, 4 Quakenbridge Plaza, Trenton, NJ 08619-1241

516455597 +National Enterprise Systems, 2479 Edison Blvd., Unit A, Twinsburg, OH 44087-2476

516676890 New Penn Financial LLC dba Shellpoint Mortgage Ser, c/o Shellpoint Mortgage Servicing,  
 PO BOX 10826, Greenville SC 29603-0826

516455599 +Northstar Location Services LLC, 4285 Genesee St., Buffalo, NY 14225-1943

516455601 +Peppertree by the Sea, C/O Pinnacle Recovery Service, P.O. Box 130848,  
 Carlsbad, CA 92013-0848

516455602 +Phillips & Cohen Asso., P.O. Box 5790, Hauppauge, NY 11788-0164

516455603 +Phillips Cohen Associates, Ltd., Mail Stop: 876, 1004 Justison Street,  
 Wilmington, DE 19801-5148

516455604 +Pinnacle Recovery, Inc., P.O. Box 130848, Carlsbad, CA 92013-0848

516455605 +Plantation Resort, 1250 Highway 17 North, Myrtle Beach, SC 29575-6006

516455606 Quicken Loans, 105 Woodward Ave., Detroit, MI 48226

516455607 +Robert Ballard, 2204 Steffanie Ct., Kissimmee, FL 34746-3717

516455608 +Roger Ballard, 8 Winners Ct., Egg Harbor Township, NJ 08234-6709

516455609 +Ron Ostertag, 1-3 Cottage St, Worcester, MA 01609-2301

516455610 +Shellpoint Mortgage Servicing, P.O. Box 740039, Cincinnati, OH 45274-0039

516455611 +SilverScript Insurance Company, P.O. Box 504849, Saint Louis, MO 63150-4849

516455613 +State of NJ Dept of Labor and Workforce, P.O. Box 951, Trenton, NJ 08625-0951

516455618 +Yuri Tutka, South Jersey Home Improvements, 143 South Zurich Ave.,  
 Egg Harbor City, NJ 08215-3539

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 smg E-mail/Text: usanj.njbankr@usdoj.gov Apr 19 2017 21:59:32 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Apr 19 2017 21:59:31 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235

516455566 +E-mail/Text: legal@arnational.com Apr 19 2017 21:59:27 ARS National Services, Inc.,  
 P.O. Box 469046, Escondido, CA 92046-9046

516455573 +E-mail/Text: bkr@cardworks.com Apr 19 2017 21:59:12 Carson Smithfield, P.O. Box 9216,  
 Old Bethpage, NY 11804-9016

516455574 +E-mail/Text: bkr@cardworks.com Apr 19 2017 21:59:12 Carson Smithfird, P.O. Box 9216,  
 Old Bethpage, NY 11804-9016

516455577 +E-mail/Text: csivels@creditcorpsolutionsinc.com Apr 19 2017 21:59:52  
 Credit Corp Solutions INC, 180 Election Road, Suite 200, Draper, UT 84020-6406

516455590 E-mail/Text: camanagement@mtb.com Apr 19 2017 21:59:27 M&T Bank, P.O. Box 62082,  
 Baltimore, MD 21264

District/off: 0312-1

User: admin  
Form ID: pdf901

Page 2 of 3  
Total Noticed: 61

Date Rcvd: Apr 19, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

516586410 E-mail/Text: bkr@cardworks.com Apr 19 2017 21:59:12 MERRICK BANK,  
Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368  
516455592 +E-mail/Text: bknotices@mbandw.com Apr 19 2017 21:59:40 McCarthy Burgess & Wolff,  
26000 Cannon Road, Bedford, OH 44146-1807  
516455593 +E-mail/Text: bkr@cardworks.com Apr 19 2017 21:59:12 Merrick Bank, P.O. Box 9201,  
Old Bethpage, NY 11804-9001  
516455594 +E-mail/Text: bankruptcydpt@mcmcg.com Apr 19 2017 21:59:31 Midland Credit Management, Inc.,  
P.O. Box 60578, Los Angeles, CA 90060-0578  
516692172 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Apr 19 2017 22:17:12  
Portfolio Recovery Associates, LLC, c/o Barclaycard, POB 41067, Norfolk VA 23541  
516671530 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Apr 19 2017 22:01:59  
Portfolio Recovery Associates, LLC, c/o Household Bank, POB 41067, Norfolk VA 23541  
516671384 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Apr 19 2017 22:01:59  
Portfolio Recovery Associates, LLC, c/o Orchard Bank, POB 41067, Norfolk VA 23541  
516512505 +E-mail/Text: bankruptcyteam@quickenloans.com Apr 19 2017 21:59:40 Quicken Loans Inc.,  
635 Woodward Avenue, Detroit, MI 48226-3408  
516455612 +E-mail/Text: kareng@spinnakerresorts.com Apr 19 2017 21:59:34  
Southwind Management Corporation, P.O. Box 6685, Hilton Head Island, SC 29938-6685  
516455614 +E-mail/PDF: gecsed@recoverycorp.com Apr 19 2017 21:56:03 Synchrony Bank,  
ATTN: Bankruptcy Dept., P.O. Box 965061, Orlando, FL 32896-5061  
516625861 +E-mail/PDF: gecsed@recoverycorp.com Apr 19 2017 21:55:55 Synchrony Bank,  
c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021  
TOTAL: 18

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

516455570\* Capital One, P.O. Box 30285, Salt Lake City, UT 84130-0285  
516455571\* Capital One, P.O. Box 30285, Salt Lake City, UT 84130-0285  
516455572\* Capital One, P.O. Box 30285, Salt Lake City, UT 84130-0285  
516468996\* ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180  
(address filed with court: Ford Motor Credit Company LLC, Dept 55953, P O Box 55000,  
Detroit MI, 48255-0953)  
516455600\* +Northstar Location Services, LLC, 4285 Genesee St., Buffalo, NY 14225-1943  
516455615\* +Synchrony Bank, ATTN: Bankruptcy Dept., P.O. Box 965061, Orlando, FL 32896-5061  
516455616\* +Synchrony Bank, ATTN: Bankruptcy Dept., P.O. Box 965061, Orlando, FL 32896-5061  
516455617\* +Synchrony Bank, ATTN: Bankruptcy Dept., P.O. Box 965061, Orlando, FL 32896-5061  
516455575 ##+Chris Malinowski dba, C&L Contracting, 119 Old N. Woodstock Road,  
Southbridge, MA 01550-2835

TOTALS: 0, \* 8, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices  
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The  
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 21, 2017

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 18, 2017 at the address(es) listed below:

Denise E. Carlson on behalf of Creditor New Penn Financial LLC d/b/a Shellpoint Mortgage  
Servicing dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Robert L. Saldutti on behalf of Creditor Financial Health Services, LLC  
rsaldutti@saldutticollect.com, lmarciano@saldutticollect.com/kcollins@slgcollect.com  
Steven P. Kelly on behalf of Creditor QUICKEN LOANS INC. skelly@sterneisenberg.com,  
bkcecf@sterneisenberg.com  
Thomas E. Dowey on behalf of Debtor Reginald T Ballard tdesquire@hotmail.com

District/off: 0312-1

User: admin  
Form ID: pdf901

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Total Noticed: 61

Date Rcvd: Apr 19, 2017

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)  
system (continued)

Thomas E. Dowey on behalf of Joint Debtor Linda E Lovingham-Ballard tdesquire@hotmail.com  
TOTAL: 6